Hunters Creek Homes Association

Complaint Procedure

**WHEREAS** Hunters Creek Homes Association (the “Association”) is a common interest community subject to regulation by the Virginia Common Interest Community Board (“CICB”);

**WHEREAS** common interest communities in Virginia are required by state law and CICB regulations to establish rules for receiving and considering Complaints from members and other citizens alleging action, inaction, or violation of applicable law or regulations by the Board of Directors (“Board”), Association, or managing agent;

**THEREFORE** it is hereby resolved that the Association, acting by its Board adopts the following policy and procedures:

1. **Filing the Written Complaint.** A member of the Association or other citizen must register a Complaint in writing using the Complaint Form attached hereto as Exhibit A. The Complaint Form must be fully completed and delivered with supporting documents by mail or email to the Association:

Hunters Creek Homes Association

PO Box 138

Herndon, VA 20172-0138

Email: board@hunterscreek.org

1. **Receipt and Review of Adequacy of the Complaint.** The Association shall review the Complaint Form in order to determine if it is complete and actionable. A Complaint must allege a specific violation of applicable law or regulations by the Association, Board, or its managing agents, as well as the requested action or resolution to the alleged violation. If the Complaint does not express such an allegation, the Complaint is not actionable, and this policy shall not apply. If the Complaint is complete and actionable, the Association will accept it for review and decision. If the Complaint is incomplete or not actionable, the Association will not accept the Complaint and shall notify the complainant why the Complaint was not accepted and what additional documentation or information is necessary, if applicable, to process the Complaint. The Association will provide a written acknowledgement of receipt of the Complaint and acceptance or rejection of the Complaint within seven (7) days by certified mail or electronic means. The Association shall retain a record of delivery of such acknowledgment. If it appears that the submitted Complaint includes the required information, the President, or other officer designated by the Board, shall provide the Board with a copy of the Complaint for consideration.
2. **Review Period.** The Association shall undertake best efforts to complete its review of the Complaint within thirty (30) days of receipt of the adequate and complete Complaint. If a complainant fails to submit any required and requested documentation or information to the Association within fourteen (14) days of the Association’s written request, the Association shall deem the matter closed.

1. **Meeting or Hearing.** After conclusion of the review period, the Association shall provide written notice to the complainant of the time, date, and location of either a hearing or meeting of the Association’s representatives who will make a final decision regarding the Complaint. The written notice shall be sent to the complainant via certified mail, hand delivery, or electronic means no less than fourteen (14) days in advance of the meeting or hearing.
2. **Notice of Decision.** The Board shall determine the representatives of the Association who shall conduct the proceedings and make a final decision on the Complaint. Notice of that decision ("Notice of Decision") shall be rendered to the complainant by certified mail, or electronic means within seven (7) days of the decision. The Notice of Decision shall be dated as of the date of the decision, include specific citations to the laws or regulations of Virginia that led to the final decision, and shall include the Common Interest Community registration number of the Association.
3. **Appeal to Ombudsman.** The Notice of Decision shall also advise the complainant of his or her right to file a Notice of Adverse Decision to the Office of the Common Interest Community Ombudsman.

Office of the Common Interest Community Ombudsman

Department of Professional and Occupational Regulation

9960 Mayland Drive, Suite 400

Richmond, VA 23233-1485

(804) 367-2941

CICOmbudsman@dpor.virginia.gov

1. **Record Keeping.** The Association shall maintain a record of all Complaints for no less than one (1) year from the date of the Association’s final decision, including incomplete and non-actionable Complaints.
2. **Availability.** A copy of these procedures shall be made available upon request and on the Association’s website.
3. **Resale Disclosure Packet.** A copy of these procedures shall be included in any resale disclosure packet issued after the effective date below.

The effective date of this Resolution shall be July 3, 2021.

**Exhibit A**

**Hunters Creek Homes Association**

**Complaint Form**

Please complete, sign, and date this form and mail or email it to the address below:

Hunters Creek Homes Association

PO Box 138

Herndon, VA 20172-0138

Email: board@hunterscreek.org

Name of Complainant:

Mailing Address:

Email Address:

Description of the Complaint and description of the requested action or resolution of the issues described in the Complaint. Please include references to the specific facts and circumstances at issue and the provisions of Virginia laws and regulations that support the Complaint. If there is insufficient space, please attach a separate sheet of paper to this Complaint form. Also, attach any supporting documents, correspondence and other materials related to the Complaint

Signature: Date: